

Notice of Allowability

Application No.

10/063,055

Examiner

Cheukfan Lee

Applicant(s)

HUANG ET AL.

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a request for RCE and an amendment filed January 10, 2006.
2. ☒ The allowed claim(s) is/are 1-18, now renumbered 1-12, 15-17, 13, 14, and 18, respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

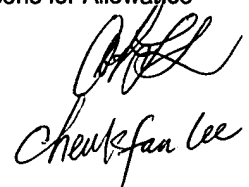
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date ____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____


Cheukfan Lee

1. All pending claims 1-18 are allowed. Claims 10-18 are newly added. Claims 1 and 10 are independent.

2. It is noted that a new power of attorney was filed January 10, 2006.

Applicant is reminded of the improper foreign priority claim filed with the Combined Declaration and Power of Attorney on March 15, 2002. During the months of May and June of 2006, the Examiner and Attorney Michael Willardson had several telephone conversations about the defective priority claim form filed March 15, 2002, which contains an "X" placed under "NO". Mr. Willardson was informed that an Office Action will be given at the end of a response period for the Examiner, if no petition and fee were filed to correct the defect or to properly claim the foreign priority. As of the date of this Office Action, no petition or fee has been recorded. Also, no data regarding foreign priority claim has been pickup by the Initial Applicant Examination Branch of the PTO.

Please see M.P.E.P. 201.11, page 200-66, and Rule 1.78(a) for filing a petition and fee for properly claiming foreign priority (or delayed claiming of foreign priority).

3. The following is an examiner's statement of reasons for allowance:

Claim 1 requires that the carrier chassis, comprising a document platform and a through-hole, be disposed on an outer casing of the optical canner, an engaging element formed on the outer casing, in combination with other limitations of claim 1.

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The closest prior art Tsai et al. (U.S. Patent No. 6,450,475) discloses a platform adjustment device for a scanner, but the carrier chassis (20, 30) of Tsai et al. (Figs. 3A and 3B) comprising a document platform (30) is not shown to be disposed on the outer casing (11) of the optical scanner but disposed on a support (13) which is fixed to the lower base (11), and the engaging element (12) of Tsai et al. is not formed on the outer casing (11) but formed on the support (13).

Claims 2-9 depend on claim 1.

New claim 10 requires that the carrier chassis, comprising a document platform, be coupled to the outer casing within which one or more optical elements are disposed, and an adjust element disposed on the carrier chassis and adapted to adjust a position of the carrier chassis with respect to the outer casing to change the optical path of the optical elements. The carrier chassis (20, 30) of the closest prior art Tsai et al. (6,450,475) (Figs. 3A and 3B) is not coupled to the outer casing (11).

Claims 11-18 depend on claim 10.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheukfan Lee whose telephone number is (571) 272-7407. The examiner can normally be reached on 9:30 a.m. to 6:00 p.m., Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Cheukfan Lee
July 20, 2006


Cheukfan Lee